

AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 10/580,344

Attorney Docket No.: Q95051

AMENDMENTS TO THE DRAWINGS

Replacement Drawings for Figs 1, 2 and 5

Attachment: Replacement Sheet(s)

REMARKS

Claims 1-13 are all the claims pending in the application. Claims 1-4 are rejected. Claims 5-13 are objectionable. Claims 1, 3, 4 and 6-13 are amended. Claims 2 and 5 are cancelled.

Support for Amendments

Claim 1 has been amended to recite the features of original claims 2 and 5, which now have been cancelled. In claim 1 it is now stated that a collar is formed onto an outside of said wall, which collar under grips with a rim the second through opening, wherein the collar is formed onto the wall close to the first through opening. In addition, claim 1 has been amended to state that the first and the second through openings are arranged at the front side.

Please amend the drawings in order to remove the objection on page 2 of the office action.

The dependencies of claims 6 - 13 have been amended in order to remove the objection on page 3, first paragraph.

Drawings

The drawings are objected to because the cross-hatching provided in the drawings is incorrect. The seal body is cross-hatched as if it were made of metal, rather than an elastomeric material, as claimed. Corrected drawing sheets are being submitted in compliance with 37 CFR 1.121(d).

Claim Objections

Claims 5-13 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. Claim 5 has been cancelled, rendering the objection moot. Claims 6-13 are amended in order to remove the basis for objection.

Claim Rejections - 35 USC § 112

Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. This rejection is traversed for at least the following reasons.

First, as to claims 2 and 5, the rejection is moot in view of their cancellation.

Second, with respect to the presence of “awkward grammar which makes it difficult to ascertain the meaning of the claims,” and the lack of antecedent basis for certain limitations, Applicants have amended the claims to be more consistent with U.S. practice.

Third, the Examiner notes that “In line 16, the limitation ‘in the manner of an eye’ is indefinite, because it is unclear exactly how the opening 6 moves like an eye.”

Applicants do not understand this objection. As is clear from the drawings, the wall (9) forms the first through opening (6). Applicants respectfully submit that the original disclosure makes clear to one skilled in the art the meaning of the claimed feature “in the manner of an eye.”

Claim Rejections - 35 USC § 102

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamada et al. (US 6,297,457). This rejection is traversed for at least the following reasons.

First, with respect to claim 2, the rejection is moot in view of the cancellation of the claim.

Amended Claim 1

Second, with respect to claims 1, 3 and 4, the rejection is overcome because parent claim 1 has been amended to incorporate the limitations of original claim 5, which is not anticipated by the Examiner’s implicit admission.

Third, the claimed invention is clearly different from Yamada, and cannot be anticipated.

Yamada

The Examiner asserts that “Yamada discloses the claimed seal in Figs. 4-6.”

Applicants respectfully submit that the grommet disclosed in Yamada has a collar 28 or 8 (Fig. 7), but this collar is not formed onto the wall close to the first through opening.

Further in Yamada, the first through opening is arranged at the front side and the second through opening at the rear side. In other words, they are on opposite sides.

By contrast, the invention defined by claim 1 requires the first and second through openings to be on the same side, more specifically, on the front side. This limitation is neither taught, nor obvious from the content of Yamada.

Also, as stated in claim 1, "said wall and the first opening can be moved within the peripheral rim in the manner of an eye. Thus, the peripheral rim can be compared with an eyelash and the wall with the first opening compared with an eyeball.

Applicants respectfully submit that, on the basis of the drawings and written description, this is a clear feature, which is not disclosed in Yamada not obvious therefrom.

Available Sample

Applicants have provided to their local attorneys a sample of a seal made according to the claimed invention. At the Examiner's request, and in order to advance prosecution in this case, Applicants will make such sample available in a personal interview with the Examiner.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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